

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alison Huettner

Serial No. 09/998,345

Filed: November 30, 2001

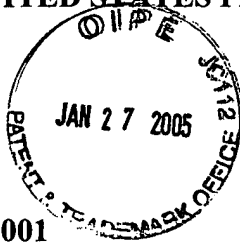
Art Unit: 3622

Examiner: Carlson, Jeffrey D.

Customer No. 30058

Confirmation No. 5517

Our Ref: 01-282



SYSTEM FOR CONVERTING AND
DELIVERING MULTIPLE
SUBSCRIBER DATA REQUESTS TO
REMOTE SUBSCRIBERS

Date: January 27, 2005


**STATEMENT IN SUPPORT OF PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The Applicant filed the above-identified application on November 30, 2001. At that time, the Applicant chose to elect that the application not be published pursuant to 35 U.S.C. 122(b) because filing the application in foreign jurisdictions was, at that time, considered to be cost prohibitive.

The Applicant, however, reconsidered its decision and filed a continuation-in-part application¹ on November 19, 2002 and, a PCT Application on November 21, 2002. But the Applicant inadvertently failed to file a Rescission of Previous Non-publication Request and Notice of Foreign Filing. Such omission was purely unintentional. The omission was not done for any improper purpose. Applicant only became aware of the omission several days ago and immediately filed this Petition for Revival and its rescission. Applicant respectfully submits that the newness of the rule combined with the Applicant's inadvertence contributed to this unintentional abandonment.

Accordingly, the Applicant respectfully requests for the Revival of the above-identified application.

Respectfully submitted,

By: 

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Attorney for Applicant

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¹ The continuation-in-part (Serial No. 10/299,745) contains all the subject matter of the above-identified Application, and the continuation-in-part published. Therefore, the Applicant respectfully submits the error is not only unintentional, it is harmless.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
01-282

In Re Application Of: HUETTNER, Alison

JAN 27 2005

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/998,345	11/30/2001	CARLSON, Jeffrey D.	30058	3622	5517

Invention: **SYSTEM FOR CONVERTING AND DELIVERING MULTIPLE SUBSCRIBER DATA
REQUESTS TO REMOTE SUBSCRIBERS**

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: A Rescission of Previous Nonpublication Request/Foreign Filing

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ Applicant claims small entity status. See 37 CFR 1.27

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4. ☒ The abandoned application was a:

01 FC:2453

750.00 0P

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
01-282

In Re Application Of: **HUETTNER, Alison**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/998,345	11/30/2001	CARLSON, Jeffrey D.	30058	3622	5517

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Calculation and Payment of Fees

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$750.00
8. ☐ Fee for amendment in the amount of: _____
9. ☐ Fee for extension of time to reply to Office Action in the amount of: _____
10. ☐ Issue fee in the amount of: _____
11. ☐ Continuing application filing fee in the amount of: _____
12. ☐ Terminal disclaimer fee in the amount of: _____
13. ☐ _____
- Total fees enclosed: \$750.00

The fee of **\$750** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **03-2026**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
01-282

In Re Application Of:
HUETTNER, Alison

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/998,345	11/30/2001	CARLSON, Jeffrey D.	30058	3622	5517

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Statement

The entire delay in filing the required Request for Rescission of Non-Publication Request from the due date for the required Request until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.



Signature

Dated: January 27, 2005

**John A. Monpcello III, Esq.
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11 Stanwix Street, 15th Floor
Pittsburgh, PA 15222
412-297-4900
Attorney for Applicant**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC: